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mailed 3/22/07

In re Application of:	:	
<u>FITZPATRICK, J. MICHAEL</u> ET AL.	:	DECISION ON REQUEST FOR
Serial No.: 10/526,754	:	PETITION TO MAKE
Filed: March 4, 2005	:	SPECIAL FOR NEW
Docket: 9823-26U1	:	APPLICATION UNDER 37
Title: FIDUCIAL MARKER HOLDER SYSTEM	:	C.F.R. § 1.102 & M.P.E.P. §
FOR SURGERY	:	708.02 (VIII)

This is a decision on the petition filed on March 4, 2005 to make the above-identified application special under the accelerated examination procedure set forth in MPEP § 708.02(VIII) and in accordance with 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The petition has been reviewed and is found to be in compliance with the requirements for special status as set forth in Section 708.02 (VIII) of the Manual of Patent Examining Procedures (MPEP).

Applicant is advised that the examiner's search will be restricted to the subject matter encompassed by the claims. In the event that the application receives a first action rejection, Applicant is encouraged to arrange for an interview with the examiner, and to provide the examiner with a working copy of any proposed amendment one working day prior to the interview. Any amendment filed in response to a first action rejection that would require broadening the field of search will be treated as an improper response. See MPEP 708.02 (VIII) for a full explanation of the handling of applications after petition grant.

Any inquiry regarding this decision should be directed to Henry Yuen at 571-272-4856.

Petition GRANTED

Henry C. Yuen, Special Program Examiner  
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